

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

1
2
3 ALFREDO SANDOVAL,

4 PLAINTIFF]
5 VS.
6 D. BARNBURG, et. al.

7 DEFENDANTS]
8

NO. C08-0865 JSW (PR)

[PROPOSED] ORDER **FILED**

JUN - 9 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

9
10
11 PLAINTIFF'S MOTION TO STAY AND PARTIAL VACATE OF THIS COURT'S
12 MAY 7, 2007 ORDER HAVING BEEN CONSIDERED BY THIS COURT, AND GOOD
13 CAUSE APPEARING THEREFORE,

14 IT IS HEREBY ORDERED THAT THIS COURT'S ORDER TO DEFENDANTS AS TO
15 DISPOSITIVE MOTIONS IS VACATED. AND FURTHER ORDER THAT THE DEFENDANTS
16 DISMISSED BY THIS COURT BE DISMISSED WITHOUT PREJUDICE. ALLOWING FOR
17 PLAINTIFF TO AMEND HIS COMPLAINT AND CORRECT DEFECTS AS TO DEFENDANTS, AND
18 ALLOWED TO CONDUCT PROPER DISCOVERY PURSUANT TO RULE 15 (a) AND
19 RULE 26 OF THE FEDERAL RULES OF CIVIL PROCEDURE.

20
21
22 DATED: MAY 29 2008

23
24
25
26
27
28
JEFFERY S. WHITE
UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE BY MAIL

(C.C.P. section 101a #2015.5, 20 U.S.C. section 1746)

I, Alfredo Sandova, am a resident of Pelican Bay State Prison, in the County of Del Norte, State of California. I am over eighteen (18) years of age and am a party to the below entitled action.

My Address is: P.O. Box 7500; Crescent City, CA 95531.

- On the _____ day of _____, in the year of 20____, I served the following documents: (set forth the exact title of documents served)

MOTION FOR STAY OF AND PARTIAL VACATE OF DISTRICT COURT

ORDER ACCORDING TO RULE 15(c) OF THE FEDERAL RULES

OF CIVIL PROCEDURE AND RULES 7-1.2 OF THE LOCAL RULES

on the party(s) listed below by placing a true copy(s) of said document, enclosed in a sealed envelope(s) with postage thereon fully paid, in the United States mail, in a deposit box so provided at Pelican Bay State Prison, Crescent City, CA 95531 and addressed as follows:

OFFICE OF THE CLERK

NORTHERN DISTRICT OF CALIFORNIA

450 GOLDEN GATE AVENUE

SAN FRANCISCO, CA

94102

I declare under penalty of perjury that the foregoing is true and correct.

- Dated this 29 day of MAY, 2008.

- Signed: Alfredo Sandova

(Declarant Signature)